



September 17, 2015

Jon Jennings  
Washington Department of Ecology  
PO Box 47696  
Olympia, WA 98504-7696

Dear Mr. Jennings,

On behalf of the Northwest Chicken Council's association members, thank you for the opportunity to comment, express our concerns and seek clarification of the newly drafted WDOE CAFO permit (hereafter referred to as the "Draft").

1. How will this new CAFO permit be implemented in relation to Poultry's dry litter operations?
2. What exactly constitutes a discharge for the Poultry industry?
3. The Fact Sheet that accompanied the Draft is dated June 21, 2006. Is there (or will there be) an updated Fact Sheet? Our concern is the Fact Sheet uses 2005 data for the amount of manure produced (see page 11 of the Draft) and list broiler weights at 2 LBS/bird, which we do not feel is an appropriate weight in today's standards.
4. With regard to the shift from Nutrient Management to MPPPs:
  - a. Who can write the MPPPs?
  - b. Does producer, grower or CD write the MPPP?
  - c. Is there a cost share?
5. With regard to exporting waste:
  - a. Recording of parcel number, in Washington what is a parcel number? Is this a field ID or tax parcel ID? Is it simply the unique identifier to identify the land, is it connected to a tax map?
  - b. Are broker's willing to go on record as to where they are applying? What if it's blended? Is it then the broker's responsibility? Does the broker (or other 3<sup>rd</sup> party) now need a CAFO or MPPP? One of our concerns is that requirements on 3<sup>rd</sup> parties could result in stranding litter because they don't want to deal with the regulatory burden.

- c. What about the no-land producers, do they need also need a CAFO & MPPP?
  - d. How are these plans protected by FOIA requests or by 3rd party inquiries?
- 6. With regard to enclosed production areas and mortality, disposal, record keeping & reporting. What constitutes a discharge? What about rain hitting the land *near* the enclosure?
  - 7. We have reservations about BMPs, what options do we have to select from?
  - 8. Is an operator required to use AKART (see page 9 of Draft) – what do they define and how does this apply?

These are all questions we feel need to be addressed and clarified within the scope of your Draft CAFO Permit for our industry. We would appreciate meeting with you to discuss these issues in person and provide additional education about the Poultry industry's part in ensuring clean waters in the State of Washington.

Please work with our association administrator, Ali McIntyre, to set up a time in the near future. She can be reached at 503-819-9961 or [alison.mcintyre@tonkon.com](mailto:alison.mcintyre@tonkon.com).

Respectfully submitted,



Bill Mattos, President  
Northwest Chicken Council